

## Special Town Meeting, Monday, April 26, 2010

Marshfield's Annual Town Meeting was called to order on Monday, April 26, 2010 at Marshfield High School. The meeting was convened at 7:15 PM. Annual Town Meeting was adjourned at 7:20 PM and Special Town Meeting was convened. Articles 13,3,16,9,12,7,1,14,2,8,6,5,4,11, 15,10 were voted and Special Town Meeting was adjourned at 9:40PM. Annual Town Meeting was re-convened at 9:40PM. Articles 1-3 were voted and ATM was adjourned at 11:05 PM. ATM reconvened on Tuesday, April 27, 2010 at 7:00PM at Marshfield High School. Articles 36,29,35,32,33,34,18,31 and 28 were decided and Annual Town Meeting adjourned at 10:30PM. Annual Town Meeting was re-convened on Thursday, April 29, 2010 at 7:00PM at Marshfield High School and articles 37,20,21,22,14, and 23 were voted and ATM was adjourned at 10:30PM. ATM re-convened on Monday, May 3, 2010 at 7:00PM at Marshfield High School and articles 11,16,19,27,12,15,30,26, 24,10,17,13 and 4 were voted on. Town Meeting was dissolved at 9:54PM.

Town Meeting workers included: Kay Ramsey, Susan Flynn, Ann Lariviere, Narice Casper, Paula Buckley, Madeleine Radley, Charlotte Keith, Steve Barber, Barry Bartlett and Dick Lariviere. Counters in sections 1-10 were Jim Haddad, Jim Creed, Jack Cantwell, Barry Bartlett, Steve Barber, Jack Braithwaite, Barry Cornwall, Reed Stewart, Otis Carney and Madeleine McDonald.

**ARTICLE 1** The Town **VOTED** to transfer \$461.27 from Free Cash, transfer \$300.00 from Solid Waste Enterprise Retained Earnings and transfer \$111.38 from Wastewater (Sewer) Enterprise Retained Earnings for payment of unpaid bills incurred during the previous fiscal year.

DEPARTMENT	VENDOR	VENDOR #	DATE	AMOUNT
SELECTMEN	HUB INTERNATIONAL	10698	4/30/2009	75.00
DPW - HIGHWAY	JOHN FOSTER LUMBER	4654	6/27/2008	23.55
DPW - HIGHWAY	JOHN FOSTER LUMBER	4654	11/12/2008	27.99
DPW - HIGHWAY	JOHN FOSTER LUMBER	4654	2/25/2009	14.02
DPW - HIGHWAY	JOHN FOSTER LUMBER	4654	3/9/2009	187.77
DPW - HIGHWAY	JOHN FOSTER LUMBER	4654	3/13/2009	9.38
DPW - HIGHWAY	JOHN FOSTER LUMBER	4654	3/23/2009	37.98
DPW - HIGHWAY	JOHN FOSTER LUMBER	4654	4/30/2009	3.65
DPW - HIGHWAY	JOHN FOSTER LUMBER	4654	6/1/2009	36.12
DPW - HIGHWAY	JOHN FOSTER LUMBER	4654	6/10/2009	20.99
DPW - HIGHWAY	JOHN FOSTER LUMBER	4654	6/15/2009	10.29
DPW - HIGHWAY	JOHN FOSTER LUMBER	4654	6/30/2009	14.53
<b>ENTERPRISE FUNDS</b>				
DPW - SOLID WASTE	NSTAR		2/1/2009	300.00
DPW-WASTEWATER	FEDERAL EXPRESS	22584	6/30/2009	111.38

**PASSED BY 9/10ths**

**ARTICLE 2** The Town **VOTED** to accept as a gift and administer according to their terms the Ronald Digraio Scholarship Fund, Jared Barrows Scholarship Fund and the Duncan Frazee Scholarship Fund.

**PASSED BY MAJORITY VOTE**

**ARTICLE 3** The Town **VOTED** to rescind the following authorizations to borrow in accordance with MGL Chapter 44, Sections 7 and 8 and further to fund the actual expenditures for these projects by transferring the sum of \$326,520 from Free Cash, the other provisions of such articles to remain in full force and effect.

		<b>Borrowing Authorized</b>	<b>Paydown with Free Cash</b>
Replace DPW Vehicle #35	Art 4, ATM 04/2009	68,000	54,562
Replace DPW Vehicle #37	Art 4, ATM 04/2009	38,000	35,071
Replace Health Vehicle	Art 4, ATM 04/2009	25,000	22,347
Bituminous Paving EW&GW	Art 4, ATM 04/2009	75,000	75,000
Classroom Furniture	Art 4, ATM 04/2009	50,000	50,000
Building Dept replace vehicle	Art 4, ATM 04/2009	25,000	24,890
Replace Fire Car C-2	Art 4, ATM 04/2009	32,000	29,383
Replace DPW Vehicle #117	Art 4, ATM 04/2009	38,000	35,267
<b>Total</b>		<b><u>\$351,000</u></b>	<b><u>\$326,520</u></b>

**PASSED BY MAJORITY VOTE**

**ARTICLE 4** The Town **VOTED** to make the following adjustments to the Fiscal Year 2010 General Fund budget line items voted as Article 6 at the April 2009 Annual Town Meeting:

Transfer from the following FY 2010 budgets:

Utilities:	\$11,000
Employee Benefits:	\$104,000
Unemployment:	\$123,000

Transfer to the following FY 2010 budgets:

Veterans Expenses-Benefits:	\$25,000
Snow & Ice:	\$39,000
Fire Salaries:	\$30,000
Elections:	\$10,000
General Insurance:	\$54,000
Reserve Fund:	\$80,000

**PASSED BY MAJORITY VOTE**

**ARTICLE 5** The Town **VOTED** to transfer \$75,000 from Article 6 of the April 2009 ATM – Debt Service Budget to be used to pay employees amounts to which they are entitled under applicable collective bargaining agreements, personnel bylaws or employment contracts, for unused leave.

**PASSED BY MAJORITY VOTE**

**ARTICLE 6** The Town **DEFEATED** charging for each written demand issued by the collector a fee of \$10.00 to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective July 1, 2010.

**DEFEATED BY MAJORITY VOTE**

**ARTICLE 7** The Town **VOTED** to transfer from Assessors' Overlay Surplus the sum of \$12,200.00 for the purpose of continuing to fund the cyclical inspection program required by the Department of Revenue.

**PASSED BY MAJORITY VOTE**

**ARTICLE 8** The Town **VOTED** to expend \$21,369 from Insurance Recovery Proceeds to replace the special education van destroyed in an accident in December 2009.

**PASSED BY MAJORITY VOTE**

**ARTICLE 9** The Town **VOTED** to appropriate \$504,465.50 and to fund such appropriation transfer \$262,460 from Community Preservation Open Space Reserve and transfer \$242,005.50 from Community Preservation Fund balance to fund the construction of a new park, the South River Greenway Park, located at 2148- 2154 Ocean Street, as shown on the Marshfield Assessor's Maps G08-05-03, G08-05-04 and G08-05-05. The funds will be used to complete construction drawings, site preparation and construction of the new community park as shown on the design plans prepared by Shadley Associates. The Community Preservation Committee further moves that the Town authorize the Board of Selectmen and/or the Open Space Committee to apply to the appropriate Federal or State agencies seeking reimbursement under the Federal Land and Water Conservation Act, P.L. 88-578, of any funds expended for said purposes and to enter into any contracts or take any other action necessary to secure such reimbursement to the Community Preservation Fund. Further that, upon completion of construction of the park, the above described land shall be dedicated to, and held in trust for, park purposes; in accordance with G.L. Chapter 45, §3.

**PASSED BY MAJORITY VOTE**

**ARTICLE 10** The Town **VOTED** to take by eminent domain a drainage easement of 20 foot width within assessors parcel H07-05-01 and shown on a plan prepared by Stenbeck and Taylors' Engineers, Marshfield, MA on file with the Town Clerk with no land damages.

**PASSED BY 2/3 VOTE**

**ARTICLE 11** The Town **VOTED** to authorize the Board of Public Works, on behalf of and in the name of the Town, to acquire ownership in fee simple of Lot G10-03-04 #15 Ferry Street for the purposes of protection of the Furnace Brook Aquifer well field drinking water source and to appropriate \$303,000, and to fund such appropriation transfer \$75,000 from Water Enterprise Retained Earnings and authorize the Treasurer, with approval of the Selectmen, to borrow \$228,000 as authorized by M.G.L. c.44 or any other enabling authority, and further to authorize the Board of Selectmen, to grant a permanent deed restriction meeting the requirements of General Laws Chapter 184 limiting the property to the purpose for which it was acquired and that the Board of Selectmen and Board of Public Works be authorized, as they deem appropriate, to enter into all agreements and execute any and all instruments necessary to effectuate the purpose of this article and to incur legal, title and other costs related to the acquisition of such property. Said deed restrictions may be granted to any organization qualified and willing to hold such a restriction, or take any other action relative thereto. Said Parcel shall be subject to the provisions of Article 97 of the State Constitution. Further, that the Town authorize the Board of Public Works to accept a Drinking Water Supply Protection Grant from the State Executive Office of Environmental Affairs, the proceeds of which shall be transferred into the Water Enterprise Retained Earnings account.

**PASSED BY 2/3 VOTE**

**ARTICLE 12** The Town **PASSED OVER** taking by Eminent Domain an access and grading easement of 50 foot width within assessors parcel H12-01-09A and shown on a plan prepared by Millbrook Surveying and Engineering, Marshfield, MA on file with the Town Clerk with no land damages paid.

**ARTICLE 13** The Town **VOTED** to authorize the Board of Public Works, on behalf of and in the name of the Town, to take by eminent domain from owners unknown, the parcel of land shown on the Marshfield Assessors Map as lot F14-02-03 containing 6.4 acres more or less, located off the unconstructed portion of Eames way, for purposes of protection of the groundwater and water supply of the Ferry Street and Church Street municipal well fields, with no land damages to be paid by the Town.

### **PASSED BY 2/3 VOTE**

**ARTICLE 14** The Town **PASSED OVER** acting upon the recommendation of the Veterans Honor Roll Committee and the Community Preservation Committee to expend \$33,722 from the Community Preservation Historic Reserve established pursuant to Massachusetts General Laws Chapter 44B as follows:

**ARTICLE 15** - The Town **VOTED** to appropriate from the restitution funds received from the Wayne Bearce case, presently held in the general fund of the Town, the following sums to be returned to the following organizations:

Marshfield Youth Basketball  
1/6/06-3/3/07 = 114.5 hours x \$31.35/hr = \$3,589.57

POPS Basketball  
1/29/06 – 5/20/06 = 25 hours x \$31.35/hr = \$783.75

Marshfield Youth Football  
10/2/04 – 9/17/2006 = 27 hrs x \$31.335/hr = \$835.81

### **PASSED BY MAJORITY VOTE**

**ARTICLE 16** The Town **VOTED** to transfer from free cash the sum of \$75,000 to continue to pay for the Rexhame Beach litigation presently pending in the Massachusetts Land Court.

### **PASSED BY MAJORITY VOTE**